

## Drugs and Alcohol in the Workplace

### **PREAMBLE**

The Labour movement supports drug and alcohol free workplaces. We have a long history of targeting drugs and alcohol in the workplace. We know that working under the influence of an intoxicating substance is unsafe and could affect the health and safety of the worker and their co-workers.

Employer strategies for tackling drugs and alcohol are the wrong approach. Random testing is the worst option for reducing drug and alcohol use in the workplace. Random testing contravenes a worker's privacy. Random testing often falls prey to employer manipulation and unreliable results. Other solutions work better.

The Labour movement knows that dependence on drugs and alcohol is a disease, which requires support and assistance, not punishment. We believe a worker with a substance abuse problem needs help to tackle their addiction.

As we work to address drug and alcohol use in the workplace, our first priority will be the protection of workers' rights. We will not allow employers to take away a worker's rights.

### **POSITION STATEMENT ON DRUG AND ALCOHOL POLICY**

The AFL wants to be a part of the solution in tackling drug and alcohol use in workplaces. Impairment due to alcohol or drugs is a health and safety hazard, and needs

to be treated seriously. We encourage pro-active and preventative steps to ensure workers understand the need to avoid impairment while on the job.

We also recognize that dependency on drugs or alcohol is a disability. Accommodating a disability is a human rights obligation in Canada. As such, our approach should be to assist the worker in receiving counseling and treatment for their addiction.

We clearly state our right to participate in the establishment of any policy on drugs and alcohol. Any policy implemented should be developed in full cooperation and consultation with the union at the workplace.

We will oppose employer attempts to institute random testing. Random testing for drugs is against the law, and random tests for alcohol are ineffective and, we believe, breach a worker's rights. We question how "random" such tests are and how reliable they are. We will also aggressively fight "automatic dismissal" policies as unfair and discriminatory.

We will fight against any employer policy that uses testing or other methods as a hidden tool to discriminate against certain workers.

Any policy should only address real problems, not imaginary problems. If there is no evidence of drugs and alcohol affecting the workplace, then the policy should not assume there is a problem.

When creating a policy on drugs and alcohol, we will work for the following priorities:

- Emphasis on education and prevention. The best way to tackle drug and alcohol abuse is to educate workers on its dangers, to allow workers the opportunity to make decisions about their behavior, and provide ways for workers to seek out help in a confidential manner.
- Respect for privacy. The policy should balance the need for a safe workplace with an individual worker's right to privacy. Policies should aim for the least invasive way to address drugs and alcohol on the worksite.
- Recognize substance dependency as a disability. The policy should consider alcohol and drug dependency as a disability and require the employer to accommodate any worker who is found to have a dependency.
- Provision for counseling and treatment. The policy should have provisions offering access to appropriate treatment and counseling for any worker with a dependency problem.
- Focus on facts. The policy should only act upon evidence and observed behavior. A policy should only tackle real concerns, not imaginary ones.
- Constructive remedies. The policy should lay out constructive remedies when a worker is found to have

violated policy. Dismissal or other serious discipline is not an effective method to address drug and alcohol use. We believe in the principle of progressive discipline.

- Making the workplace safe. At all times the policy should remain focussed on the steps needed to keep the workplace safe. If it can't be justified by safety, it shouldn't be done.
- Individualized solutions. Rules should not have a blanket application. Addressing an individual worker's breach of policy should be determined by carefully weighing the circumstances in that specific situation. Remedies and discipline, if any, should be tailored to meet constructive goals in that individual case.

## CONCLUSION

The AFL will continue to play a constructive role in keeping workplaces safe and defending workers' rights. We will also continue to place a priority on tackling drug and alcohol use in workplaces

During the next two years, the AFL will work with our affiliates to develop a detailed policy on drug and alcohol in the workplace and create an information package for distribution to union locals in Alberta.

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